IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

MFA.No. 612 of 2002()

OPMV.893/1994 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PALAKKAD

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APPELLANT: PETITIONER:

SUKUMARAN, S/O.KARUPPAN,
AGED 48 YEARS, ATTAPALLAM, PALAKKAD.

BY ADV. SRI.O.P.NANDAKUMAR
SRI.V.A.AJAI KUMAR

RESPONDENTS: RESPONDENTS:

(*) 1. B.ANILKUMAR, S/O. FATHER'S NAME NOT KNOWN, AGE NOT KNOWN, SANTHA MANDIRAM, PADINJATTINKARA, KOTTARAKKARA POST, KOTTARAKKARA.(DELETED)

2. G.SATHEESAN NAIR, AGE NOT KNOWN, S/O.GIOPINATHAN NAIR, PROPRIETOR,M/S.INDIAN FOOD EXPORTS AND IMPORTS, P.B.NO.100, KOLLAM.

3. THE MANAGER, UNITED INDIA INSURANCE COMPANY LTD., VAANIYAPURAKKAL BUILDINGS, TALUK OFFICE JUNCTION, KOLLAM.

(*)(NAME OF THE FIRST RESPONDENT IS DELETED FROM THE PARTY ARRAY AT THE RISK OF THE PETITIONER AS PER ORDER DATED 4/9/2007 IN IA 1862/07)

R3 BY ADV. SRI.MATHEWS JACOB
SRI.P.JACOB MATHEW

THIS MISC. FIRST APPEAL HAVING COME UP FOR ADMISSION ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR ,J.

M.F.A.No.612 of 2002

Dated, this the 14th day of September, 2007

JUDGMENT

The claimant in O.P.(MV) No.893/1994 on the file of the Motor Accidents Claims Tribunal, Palakkad is the appellant. Appellant sustained injuries in a motor vehicle accident. He claimed Rs.1 lakh as compensation. The Tribunal awarded only Rs.43,750/- as compensation. Dissatisfied with the quantum of compensation awarded claimant has filed this appeal. Appellant claimed Rs.9,000/- towards loss of earning and Rs.1,000/- towards transportation charges. The Tribunal awarded Rs.7,200/- and Rs.750/- respectively on those counts. He claimed an amount of Rs.1,000/- towards extra nourishment. That amount was awarded. Tribunal granted an amount of Rs.4,500/- towards treatment expenses and Rs.12,500/- towards pain and suffering. An amount of Rs.17,280/- was awarded towards disability. Appellant sustained fracture to the wrist and ankle of left foot. Considering the nature of injuries sustained by the appellant the quantum of compensation awarded cannot be said to be inadequate. I do not find any reason to interfere with the award passed by the Tribunal. So no merit in the appeal and the same is only to be dismissed.

In the result, appeal is dismissed.

K. PADMANABHAN NAIR,
JUDGE.

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K.PADMANABHAN NAIR, J.

M.F.A.No.612 of 2002

JUDGMENT

14th September, 2007.